

ZONING AND ADJUSTMENT BOARD

January 20, 2004

The Zoning and Adjustment Board of Sumter County, Florida convened on Tuesday, January 20, 2004, at 6:30 P.M. with the following Board members present: Chairman Larry Story, Frank Topping, Rodney Caruthers, Dossie Singleton, Dave Pierazek, Mark Caruthers, Rusty Mask, Todd Brown, and Dale Nichols. Board members Richard Bradley, Lamar Parker and Evan Merritt were absent. Terry Neal, Zoning and Adjustment Board Attorney, Aimee Webb, Board Secretary, and Roberta Rogers, Director of Planning and Development, were present.

The Board members led everyone in the pledge and prayer.

Mr. Story presented the proof of publication.

Mr. Brown made a motion to approve the minutes from the January 5, 2004 ZAB meeting. Mr. Mark Caruthers seconded the motion and the motion carried.

R2003-0025

Sonna Walker & Virginia Stalvey

Virginia Stalvey was present and requested a rezoning on from C1 to CN on 2.25 acres MOL. There were six notices sent. Of the six notices sent, one was received in favor and none in objection. There were no objections from the audience. Ms. Stalvey stated she would like to sell the property for uses such as a doctor or dentist office. Mrs. Rogers explained those types of uses were not permitted in the CN zoning classification and that the property did not meet the minimum requirements for CN. The Board questioned why the property was being rezoned as it was already zoned C1. Mrs. Webb explained the C1 zoning classification was not vested as it had always been utilized as residential. The Board explained to Ms. Stalvey they would allow her to make an application for a residential rezoning with no fee involved to give the property a correct residential zoning classification. Mr. Nichols made a motion to recommend denial of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

Mr. Bradley arrived during the above case and voted on it.

R2004-0006

Lenard Powell, Inc., a Florida Corporation

Julia McCormic, representative for the applicant, was present and requested to rezone one acre MOL from RR1 to R2M to bring the property into compliance with the Future Land Use Map. There were four notices sent. Of the four notices sent, none were received in favor and two in objection. The letters of objection were read into the record. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested

rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0007

Richard & Janet Kornegay

Richard Kornegay was present and requested a rezoning from A5 to RR1C on four acres MOL for a lineal transfer. There were three notices sent. Of the three notices sent, none were received in favor and none in objection. There were no objections from the audience. Mr. Kornegay stated he had obtained the property from his mother on which he intended to build a residence. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0010

Joe & Judy Williams

Lonnie Edwards, representative for the applicants, was present and requested a rezoning from A1 and CL to CL on 2.60 acres MOL to bring the property into compliance with the Future Land Use Map. Board member, Rodney Caruthers, declared a conflict of interest. There were eight notices sent. Of the eight notices sent, five were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0008

The Villages of Lake-Sumter, et al

Jack Sullivan and Nicholas Andreyev, representatives for the applicant, were present and requested a rezoning from A5, R1M and CL to RPUD on 1180.64 acres MOL to bring the property into compliance with the Future Land Use Map. There were forty-three notices sent. Of the forty-three notices sent, two were received in favor and one in objection. The letter of objection was read into the record. Mr. Sullivan stated there had been an error on the application as to the amount of acreage being less than intended. Mrs. Neal questioned whether the legal ad had been published correctly.

The Board took a recess to allow staff to review the published legal ad.

The Board reconvened with the aforementioned members present.

Mrs. Rogers stated the application request and legal descriptions had been advertised correctly.

Mr. Sullivan stated the property was previously approved for the transmittal of a large-scale comprehensive plan amendment to Mixed Use. There were no further questions or

discussion from the Board. Mr. Topping made a motion to recommend approval of the amended rezoning request to the Board of Sumter County Commissioners. Mr. Bradley seconded the motion and the motion carried.

T2004-0002

Fletcher Marine, Inc.

William Fletcher, owner of Fletcher Marine, Inc., was present and requested a Temporary Use Permit for a modular office for four years in conjunction with the Lake Panasoffkee Restoration Project being done by the Southwest Florida Water Management District. There were five notices sent. Of the five notices sent, none were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested Temporary Use Permit based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

R2004-0009

711 South Holding Company

Board member, Mark Caruthers, declared a conflict of interest, as he is the property owner. Mike Ditterick, representative for the application was present and requested a rezoning from C3 to CH on 7.60 acres MOL to give the property a current zoning classification. Mr. Mark Caruthers was sworn in. There were five notices sent. Of the five notices sent, none were received in favor and none in objection. There were no objections from the audience. Mrs. Webb explained the property had been the subject of a small-scale comprehensive plan amendment in 1996 to commercial. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Brown seconded the motion and the motion carried.

S2004-0002

711 South Holding Company

Mr. Ditterick was still representing the applicant and Mr. Caruthers was reminded he was still sworn in. The request was for a Special Use Permit on the above-mentioned property to allow a 180-foot telecommunications tower. There were five notices sent. Of the five notices sent, none were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to approve the requested Special Use Permit based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

R2004-0011

Gary & Joanne MacIntosh

Benny Bedenbaugh, H & B Consulting Engineers, and Gary MacIntosh, property owner, were present and requested a rezoning from A5 to A10C on 20 acres MOL to bring the property into compliance with the Future Land Use Map. There were three notices sent.

Of the three notices sent, two were received in favor and none in objection. There were no objections from the audience. There were no further questions or discussion from the Board. Mr. Nichols made a motion to recommend approval of the requested rezoning to the Board of Sumter County Commissioners based on the information provided in the staff report. Mr. Bradley seconded the motion and the motion carried.

C2004-0001/C2003-0001

Gary & Joanne MacIntosh

Benny Bedenbaugh, H & B Consulting Engineers, and Gary MacIntosh, property owner, were present and requested a Conditional Use Permit on the above-mentioned property to allow a bed and breakfast based on the site plan submitted by the applicant. There were three notices sent. Of the three notices sent, one was received in favor and none in objection. Mr. MacIntosh also requested to have two employees who do not reside on site. Mr. Nichols made a motion to recommend approval of the requested Conditional Use Permit to the Board of Sumter County Commissioners based on the information provided by staff and the conditions listed in the final order including Mr. MacIntosh's request. Mr. Bradley seconded the motion and the motion carried.

Public Forum

Mrs. Rogers made a proposal to the Board requested by a proposed developer allowing a higher density in the agricultural area of the Future Land Use Map provided minimum development standards were applied. The Board's main concern was wastewater and felt if it could be addressed properly, they would entertain the proposal.

Mrs. Rogers asked the Board members if they would be interested in a Class I landfill workshop and site evaluation while there were no applications before the Board, to which everyone was agreeable.

Mr. Nichols made a motion to adjourn. Mr. Pierazek seconded the motion and the motion carried.

The meeting adjourned at 7:54 p.m.

Larry Story, Chairman
Zoning and Adjustment Board